IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.993 of 2007

Shri Kishor Shah — Petitioner
Vs.
Mr.Mrunal Navin Vimadalal & ors. — Respondents

Mr.R.R.Salvi for petitioner.
Mr.A.S.Shitole, APP for State.

CORAM: B.H.MARLAPALLE, J.
July 3, 2007.

P.C.

. The learned Magistrate has already framed charge on 2nd February 2007 and in fact prior to framing of charge the parties were heard. The learned Advocate for the accused had opposed framing of charge on number of grounds but the ground of limitation was never argued. The learned counsel for the petitioner for the first time seeks to raise the ground of limitation and states that the complaint filed in the year 2003 was beyond limitation. Such an issue was not raised before the learned Magistrate when the charge was framed.

. The petition is rejected with liberty to the petitioner to re-agitate the issue of limitation before the trial Court.

(B.H.MARL